

# OPEN MEETING ITEM

**COMMISSIONERS**  
SUSAN BITTER SMITH - Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE



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ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
DOCKET CONTROL

DATE: JULY 28, 2015  
DOCKET NO.: T-02790A-15-0157

TO ALL PARTIES:

ORIGINAL

Enclosed please find the recommendation of Administrative Law Judge Sasha Paternoster. The recommendation has been filed in the form of an Order on:

DAVE WOODRING DBA CPN COMMUNICATIONS  
(CANCEL CC&N)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by 4:00 p.m. on or before:

AUGUST 6, 2015


The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

AUGUST 18, 2015 AND AUGUST 19, 2015

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission  
**DOCKETED**

JUL 28 2015

DOCKETED BY 

  
JODI JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET; PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET; TUCSON, ARIZONA 85701-1347  
[www.cc.state.az.us](http://www.cc.state.az.us)

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

1                               **BEFORE THE ARIZONA CORPORATION COMMISSION**

2   COMMISSIONERS

3   SUSAN BITTER SMITH - Chairman  
4   BOB STUMP  
5   BOB BURNS  
6   DOUG LITTLE  
7   TOM FORESE

8   IN THE MATTER OF THE APPLICATION OF  
9   DAVE WOODRING DBA CPN  
10   COMMUNICATIONS FOR APPROVAL TO  
11   CANCEL ITS CERTIFICATE OF CONVENIENCE  
12   AND NECESSITY.

DOCKET NO. T-02790A-15-0157

DECISION NO. \_\_\_\_\_

**ORDER**

13   Open Meeting  
14   August 18 and 19, 2015  
15   Phoenix, Arizona

16   **BY THE COMMISSION:**

17                               \*       \*       \*       \*       \*       \*       \*       \*       \*

18               Having considered the entire record herein and being fully advised in the premises, the  
19   Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

20                               **FINDINGS OF FACT**

21               1.     In Commission Decision No. 58903 (December 21, 1994), the Commission granted  
22   Dave Woodring dba CPN Communications ("CPN") a Certificate of Convenience and Necessity  
23   ("CC&N") to provide customer owned pay telephone ("COPT") services in Arizona.

24               2.     On May 18, 2015, CPN filed an application with the Commission requesting approval  
25   to cancel its CC&N to provide COPT services in Arizona. In the application, CPN waived its right to  
26   notice and a hearing to cancel its CC&N. The application further notes that CPN no longer provides,  
27   or never did provide, COPT services in the state of Arizona and that Mr. Dave Woodring is  
28   authorized to file the application on behalf of CPN.

              3.     On July 22, 2015, the Commission's Utilities Division ("Staff") filed a Memorandum  
              in response to CPN's application to cancel its CC&N.

              4.     According to Staff, the Commission's Consumer Services Section reported that no  
              complaints have been filed against CPN from January 1, 2012 to March 21, 2015. Further, Staff

1 states that CPN has failed to file a 2014 Utilities Annual Report.

2 5. Staff recommends approval of CPN's application to cancel its CC&N.

3 6. Staff's recommendation to approve CPN's application for cancellation of its CC&N is  
4 reasonable and should be adopted.

5 **CONCLUSIONS OF LAW**

6 1. CPN is a public service corporation within the meaning of Article XV of the Arizona  
7 Constitution and A.R.S. §§ 40-281 and 40-282.

8 2. The Commission has jurisdiction over CPN and the subject matter of the application.

9 3. The cancellation of CPN's CC&N to provide COPT services in Arizona is in the  
10 public interest.

11 4. CPN waives its right to notice and a hearing in this matter.

12 5. Staff's recommendation is reasonable and should be adopted.

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**ORDER**

IT IS THEREFORE ORDERED that Dave Woodring dba CPN Communications' Certificate of Convenience and Necessity granted in Decision No. 58903 (December 21, 1994), to provide customer owned pay telephone services in Arizona is hereby canceled.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_  
SP:tv(ru)

1 SERVICE LIST FOR: DAVE WOODRING DBA CPN COMMUNICATIONS

2 DOCKET NO.: T-02790A-15-0157

3 Dave Woodring  
4 5688 Spearmint Way  
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